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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,708	04/09/2004	Gene Samburg	002519-30	8746
22204 7590 07/13/2009 NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			EXAMINER WORKU, NEGUSSIE	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 07/13/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,708

Applicant(s)

SAMBURG ET AL.

Examiner

NEGUSSIE WORKU

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 April 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- Paper No(s)/Mail Date 12/11/08; 07/02/04
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's response with respect to claims 1 and 8, have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments filed have been fully considered.

Regarding claims 1 and 8, examiner believes the cited prior arts as set forth below disclose the claimed subject matter of the claim 1 and 8, alone or in combination because the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, the Examiner asserts that the combination of Fufido and Hammond when considered as a whole clearly teaches that "a backing attached to the insert, and the proximity reader generates a signal and reads the access devices" as currently amended in claims 1 and 8 are well-known in the art at the time of the invention was made. In particular, Hammond '286' clearly suggested the claimed limitation of the invention and the advantage of combining the cited references. In view of the above, having the system of Fufido and then given the well- established teaching of Hammond, the Examiner asserts that it would have been obvious to one having

ordinary skill in the art at the time of the invention was made to combine the cited prior arts, to provide a compact and integrated data entry system that features both a highly secured keyboard and a proximity card reader, as suggested by Hammond '286', see col.1, lines 30-33.

For the above reasons, the Examiner asserts that the combination of the prior arts does in fact show present claimed invention is known to ordinary skilled in the art at the time of the invention was made, thus, a rejections have been made as set forth below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-16 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Fufidio et al., (USPAP 20020067259), in view of Hammond (USP 6,102,286).

With respect to claim 1, Fufidio '259' teaches an integrated reader device, (camera 22 of fig 1, is an integrated reader, col.3, 0023) for reading access devices and controlling access to an entrance (access control system 10, includes entrance), comprising: a non-metallic mounting frame (camera 22 of fig 1, mounted on wall which is non-metallic, as shown in fig 1); an insert mounted on an inside edge of the non-

metallic frame,(detector 16, made up of glass, mounted on non-metallic wall, shown in fig 1); a proximity reader mounted to on a surface of the non-metallic frame and covering the insert one side of said mounting frame and over the glass insert (detector 14 of fig 1, read a person movement and mounted on the wall shown in fig 1); and a plurality of LED strips mounted on the inside edge of the non-metallic mounting frame, wherein the integrated reader device is installed on an edge of an opening (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037-0038).

Uffizi '259' dose not specifically teach a proximity reader mounted to on a surface of the non-metallic frame and covering the insert one side of said mounting frame and over the glass insert; and wherein the proximity reader generates a signal and reads the access devices.

Hammond '286' in the same area of security access control system as shown in fig 1, teaches a proximity reader mounted to on a surface of the non-metallic frame (a proximity reader or sensor 115 of fig 1, for sensing information encoded in a card near the key pad unit 210 of fig 1, mounted to on a surface of the non-metallic frame 210 is a non-metallic frame), and covering the insert one side of said mounting frame and over the glass insert, see col.2, lines 20-50); and wherein the proximity reader (115 of fig 1, col.4, lines 58-60) generates a signal and reads the access devices (col.4, lines 55-60).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging device of Fufidio '259' by the teaching of Hammond '286' for the purpose to provide a compact and integrated

data entry system that features both a highly secured keyboard and a proximity card reader, as discussed by Hammond in col.1, lines 30-33.

With respect to claim 2, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the glass insert further comprises: a first glass section; and a second section, wherein the first and second section are bonded together with an adhesive (glass section 13, where plurality of Leeds are positioned and second section door 12, bonded to the wall by any adhesive material).

With respect to claim 3, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the second glass (12 of fig 2) section further comprises: a step carved on the front edge of the second section, and wherein the mounting frame (mounting frame 13 of fig 1) is attached to the glass insert at the location of the step.

With respect to claim 4, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), further comprising: a backing attached via an adhesive to the second glass section of the glass insert, and wherein the backing is acrylic (adhesive can be used to attach different parts together, that includes to the back of door to the wall).

With respect to claim 5, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein said LED strips are positioned flat against the edges of the glass insert and centered on the edge of the glass insert, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 6, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the LED strips further comprise: a plurality of individual LEDs placed in separate locations on a PC board strip, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 7, Fufidio '259' teaches an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the LED strips are additionally located so as to fit against the edge of the glass panel, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 8, Fufidio '259' teaches a method for forming and installing an integrated reader device (fig 1), a glass panel and a non-metallic frame, comprising, an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023) for installation near a controlled access entrance, (access control system 10, includes entrance), comprising step of: a non-metallic mounting frame (camera 22 of fig 1,

mounted on wall which is non-metallic, as shown in fig 1); inserting the glass panel into the non-metallic frame, (frame 113 of fig 1) wherein the glass panel is formed by, attaching a first glass section to a second glass section via an adhesive, and attaching an acrylic layer to the second glass section; attaching a plurality LED strips to the non-metallic frame (detector 16, made up of glass, mounted on non-metallic wall, shown in fig 1, in which using acrylic layer to attach can be used); forming the integrated proximity reader by attaching the proximity reader to the acrylic layer of the glass panel and to the frame (detector 14 of fig 1, read a person movement and mounted on the wall shown in fig 1); and installing the integrated proximity reader on the edge of an opening of a predetermined size, (as shown in fig 1, in photo emitting devices (detector) are placed on the door frame 13, col.5, in the last lines 0037).

Uffizi '259' dose not specifically teach a proximity reader mounted to on a surface of the non-metallic frame and covering the insert one side of said mounting frame and over the glass insert; and wherein the proximity reader generates a signal and reads the access devices.

Hammond '286' in the same area of security access control system as shown in fig 1, teaches a proximity reader mounted to on a surface of the non-metallic frame (a proximity reader or sensor 115 of fig 1, for sensing information encoded in a card near the key pad unit 210 of fig 1, mounted to on a surface of the non-metallic frame 210 is a non-metallic frame), and covering the insert one side of said mounting frame and over the glass insert, see col.2, lines 20-50); and wherein the proximity reader (115 of fig 1, col.4, lines 58-60) generates a signal and reads the access devices (col.4, lines 55-60).

Therefore, It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the imaging device of Fufidio '259' by the teaching of Hammond '286' for the purpose to provide a compact and integrated data entry system that features both a highly secured keyboard and a proximity card reader, as discussed by Hammond in col.1, lines 30-33.

With respect to claim 9, Fufidio '259' teaches a method for forming and installing an integrated reader device (camera 22 of fig 1, is an integrated reader, col.3, 0023), wherein the step of installing further comprises: applying an adhesive to a front the non-metallic frame; and attaching the adhesive covered frame to the edge of the opening (a non-metallic frame 13 of fig 1, can be attached with known practice of attaching by means of adhesive).

With respect to claim 10, Fufidio '259' teaches a method (camera 22 of fig 1, is an integrated reader, col .3, 0023) wherein the step of forming further comprises: drilling a hole in a cover of the proximity reader; and routing wires associated with the LED strips through the hole for electrical connection, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 11, Fufidio '259' teaches a method, (as shown in fig 1) wherein the step of inserting further comprises: attaching the non-metallic frame e at the carved step in the edge of the second glass panel (wall where the system of fig 1 is attached is a non-metallic frame).

With respect to claim 10, Fufidio '259' teaches a method 12. The method of claim 8, wherein the installation of the LEDs further comprises: mounting individual LEDs inside on a PC board, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 10, Fufidio '259' teaches a method 13. The method of claim 8, wherein the LED strips are attached to the frame so that lenses of the LEDs lay flat against the edges of the glass panel, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 14, Fufidio '259' teaches a method, wherein the adhesive employed to attach the first glass section to the second glass section is a clear adhesive (a non metallic frame 13 of fig 1 can be attached with known practice of attaching by means of adhesive).

With respect to claim 15, Fufidio '259' teaches a method, wherein a portion of said non-metallic frame is milled and wherein the LED strips are placed in the milled portion of the non-metallic frame in said attaching step, (as shown in fig 1, in photo emitting devices are placed on the door frame 13, col.5, in the last lines 0037).

With respect to claim 16, Fufidio '259' teaches a method, wherein the installation is performed via a rear access panel (assembly of the system of fig 1, can be done from the inside and from the front door).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEGUSSIE WORKU whose telephone number is (571)272-7472. The examiner can normally be reached on 9A-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Negussie Worku/

Examiner, Art Unit 2625